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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/864,115	05/24/2001	Indra Laksono	VIXS 007	8009
34280	7590	01/03/2007	EXAMINER	
TIMOTHY W. MARKISON			PATEL, JAY P	
VIXS, INC.			ART UNIT	PAPER NUMBER
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AUSTIN, TX 78736				

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/03/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/864,115	LAKSONO, INDRA
	Examiner	Art Unit
	Jay P. Patel	2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 22 September 2006.  
 2a) This action is FINAL. 2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-5,7,10-12,15-27,29,32-34,37-41 and 44 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) 7,10-12,15-22,29,32-34,37-41 and 44 is/are allowed.  
 6) Claim(s) 1,4,23 and 26 is/are rejected.  
 7) Claim(s) 2, 3, 5, 24, 25 and 27 is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application
	6) <input type="checkbox"/> Other: _____

## DETAILED ACTION

1. This office action is in regards to the amendment filed 3/13/2006.
2. Claims 1-5, 7, 10-12, 15-27, 29, 32-34, 37-41 and 44 are pending.
3. Claims 1, 4, 23, 26 are rejected.
4. Claims 6, 8-9, 13-14, 28, 30-31, 35-36 and 42-43 have been cancelled.
5. Claims 7, 10-11, 12, 15-22, 29, 32-34, 37-41 and 44 are allowed.
6. Claims 2, 3, 5, 24, 25 and 27 are objected to.

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
8. Claims 1 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Higgins et al. (US Patent 6587480 B1 in view of Corley et al. (US Patent 6304576 B1).

In regards to claims 1 and 23, Higgins discloses in figure 1 a multimedia hub 120 (a method for hub-based network access comprising, receiving packets from at least one of a plurality of clients). Figure 1 also illustrates an isoBridge hub180 the provides bridging function between an isochronous network and a packet network where an end station is communicating via a modem through an isochronous WAN into a packet-based Ethernet (see figure 1 and column 12, lines 58-67).

In further regards to claims 1 and 23, the multimedia manager 190 in figure 1, performs connection management, feature management and system management functions (determination of active functions) (see figure 1 and column 13, lines 1-9).

In further regards to claims 1 and 23, in figure 2, Higgins discloses that the system design allows an isochronous client device in a client-server-client architecture environment to control another isochronous client's operation directly through signaling (see figure 2, column 13, lines 25-29) (processing data of at least one of the packets in accordance with the network access application to produce network data).

In further regards to claims 1 and 23, figure 3, illustrates a block diagram of a signaling and circuit connection procedure allowing remote control of an isochronous device; signaling paths traverse between a client and controlling devices through the public network and the circuit connections traverse between the client and controlling device to the ISDN network (see figure 3 and column 14, lines 53-59) (determining access to a network connection for transmission of the network data based on a client-access-to-the-network-connection scheme to produce a determined network access).

In further regards to claims 1 and 23, transporting the network data via the network connection based on the determined network access is reads on the same disclosure used with regards to the previous limitation.

In further regards to claims 1 and 23, Higgins fails to teach opening a network access application for at least one of the plurality of clients when the network access application is not active. Corley teaches the above-mentioned limitation. In figure 5A, Corley teaches an initialization and recovery procedure for a multimedia hub 120 in

figure 1. A multimedia manager 190 conducts a keep-alive protocol to keep the connection active. Absence of keep-alive messages causes the multimedia hub 120 to drop the corresponding multimedia manager 190 as an active client and results in a reselection of another multimedia manger 190 (opening a network access application for another client when a network access application for one of client is not active).

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to combine the hub-based network management disclosed by Higgins with the keep alive connection message and reselection of another client taught by Corley. The motivation to do so would be to interact with a hub to keep the connection alive and during the occurrence of a connection failure, opening a connection for another client.

9. Claims 4 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Higgins (US Patent 6587480 B1) and Corley et al. (US Patent 6304576 B1) further in view of Dirkmann et al. (US Patent 6922399 B1).

In regards to claims 4 and 26, Higgins teaches all the limitations of claim 1 as stated above. Higgins fails to teach, requesting access to the network connection. Dirkmann discloses the above-mentioned limitation where it is stated that after the connection is setup and authenticated the user delivers a request to the service provider for specific contents or services and the D-Channel bandwidth is adequate for the tasks (see figure 2 and column 3, lines 20-23).

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to combine the hub-based network disclosed by Higgins with the request to service disclosed by Dirkmann.

The proper motivation comes from Dirkmann where it is stated "controlling connections in a communications in a communication network that includes setting up a signaling connection between a subscriber of the communication network and a service access system based on a service connection request" (see column 1 summary of the invention paragraph, 2<sup>nd</sup> paragraph).

### ***Response to Arguments***

10. Applicant's arguments filed with regards to claims 1 and 23 have been fully considered but they are not persuasive.
11. Applicant argues on pages 33 and 34 that neither Higgins nor Corley teach opening a network access application for at least one of the plurality of clients when the network access application is not active for at least one of the clients. However, the examiner respectfully disagrees. Corley teaches the above-mentioned limitation. In figure 5A, Corley teaches an initialization and recovery procedure for a multimedia hub 120 in figure 1. A multimedia manager 190 conducts a keep-alive protocol to keep the connection active. Absence of keep-alive messages causes the multimedia hub 120 to drop the corresponding multimedia manager 190 as an active client and results in a reselection of another multimedia manager 190.

***Allowable Subject Matter***

12. Claims 7, 10-11, 12, 15-22, 29, 32-34, 37-41 and 44 allowed.
13. In regards to claims 7, 12, 23, 29, 34 and 41, the cited prior art fails to teach either individually or in combination a hub-based access method where the packet's header is interpreted to ascertain a destination address and from the destination address inferring whether the packet is a client to client packet or a network packet.

***Conclusion***

14. Claims 2, 3, 5, 24, 25 and 27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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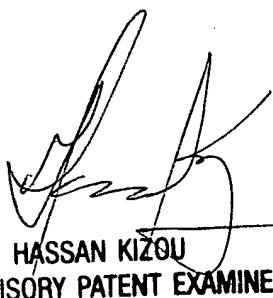
the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jay P. Patel whose telephone number is (571) 272-3086. The examiner can normally be reached on M-F 9:00 am - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jay P. Patel  
Examiner  
Art Unit 2616



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